

NOTES AND COMMENTS.

The Moscow *Gazette* says: "The future policy of France will decide whether Germany will be compelled to watch one or both of her frontiers." The same paper declares that Russia must always have a strong fleet on the Pacific Ocean. In that case other Powers will see the necessity of having strong fleets also on this ocean. Raising supplies for foreign navies may yet be one of the biggest Hawaiian industries.

The press and the clergy in Boston are terribly agitated over the question as to whether it is right to deceive children with the fiction of Santa Claus. Thirty-six out of ninety-five prominent church people, drawn out by circular from the *Herald*, have declared in favor of keeping up the mystery about the Saint. The rest gave varying answers, only four being in favor of abolishing the deception.

Among the causes contributing to the tempest in the teapot raised against the Ministry, through the medium of the *Bulletin* just before the King kicked over the traces, were the fears of prosecution entertained by the whisky smugglers whose rascally deeds were exposed in the Legislature. This is a fact capable of demonstration to a dot, and it serves to show the public part of the motives instigating the hue and cry of the malcontents.

REPRESENTATIVE MILLS of Texas, prospective Chairman of the Committee of Ways and Means, astonished President Cleveland by telling him that it would be impossible to pass a tariff bill based exclusively upon the recommendation of his message. Not less than fifty Democrats in the House had declared themselves opposed to any measure that did not include repeal of the internal revenue tax on tobacco; they would go with Randall in any proposal for tariff reduction which included that feature, and it was useless to go ahead without the co-operation of Randall and those who agree with him. It looks as if there were too many tariff parties in Congress to reach an agreement on the question of reduction during the present session.

It seems that the status of the Hawaiian treaty has run the ordeal of a trial in the United States Supreme Court. An importer of San Domingo sugar has sued an American Collector of Customs to recover certain duties he paid on that article, on the ground that the treaty between the United States and San Domingo provides that each country shall not charge higher duties on the products of the other than are imposed on like products from any other country. This provision is claimed to be violated when Hawaiian sugar is admitted free while duty is collected on the Dominican product. The contention seems to strike at all reciprocity treaties containing special privileges, for all ordinary treaties of amity and commerce contain the "most favored nation" clause the same as the American-Dominican one. Now that the United States has exacted from Hawaii a premium for the continuation of reciprocal trade, in the shape of the Pearl Harbor naval privileges, our treaty would appear to be on a different basis from before, whatever the San Domingo importer may make out of his claim for back duties.

A SAILORS' HOME is a manifest want at this port. Cheap boarding and lodging houses in combination are not in existence here, owing to the peculiar mode of life obtaining among the stationary population of working-men who do not keep house. When Consuls find distressed sailors on their hands, they are put to some trouble in finding suitable accommodation for them. Sailors, and men who work their passage hither on vessels in hope of finding employment here, are often seen wandering round in quest of comfortable quarters, where they may sleep and eat under one roof at moderate charges. From the report of the Sailors' Home Society in this paper, it will be seen that the matter is not to be left in abeyance by that body. A committee has been appointed to take it in hand, and, as the amount now required to make up a duplicate of the Government grant of \$5,000 is not large, we hope to see a commodious and modernly constructed house adorning the former Home's site before the end of this year.

State Sovereignty.

IMPORTANT DECISION.

The Supreme Court of the United States has decided that a State cannot be sued. In a case where the Kansas prohibition laws were in question, the following decision was rendered:

No convention or Legislature has the right under our form of government to prohibit any citizen from manufacturing for his own use or for export or storage any article of food or drink not endangering or affecting the rights of others.

If such manufacture does prejudicially affect the rights and interests of the community, it follows that society has power to protect itself by legislation against the injurious consequences of that business.—[Com. Herald and Market Review.]

The United States is invited to participate in the Melbourne International Exhibition of 1888.

"White wings they never grow weary," sang the sorrowful-faced young man in the parlor. "No," said the old man gloomily as he paced up and down the room above, "I've seen whirled they would, but they never fly."

Letter from Kohala.

EDITOR GAZETTE: Aside from incendiary fires and burglaries, which have occurred with alarming frequency of late, there have been no local incidents to ripple the placid waters of routine life in this district since the elections; but if some of the miscreants who are acting so badly as to become targets for marksmen, would only get a rifle ball or a charge of buck shot into them while in the act of plying their nefarious trades, the community would undoubtedly leave their houses, or sleep at night, with a greater sense of security than they do at present.

The landing of our Representative by the W. G. Hall, on Sunday the 11th, and the spreading of the vague rumor that the King had vetoed several bills, and the Legislature had in consequence adjourned to the 18th, and the Rifles had disbanded, created a little stir of lively interest which served to show that the permeating spirit of indignation which culminated in the recent reform movement, was by no means so relaxed into a dormant state of oblivion to passing events, but that it would at a moment's notice spring to the defense of the principles at that time demanded and ostensibly granted.

The Legislative reports are read with eager interest, not as before, to see if a corrupt Legislature had plunged a long suffering people into a deeper gulf of despair than before, or to see if it were possible that the unwilling victims could endure the imposition of another unrighteous burden without breaking into open revolt, but to see what progress our sturdy Representatives make in pulling up stream, or whether they are able to stem the current; whether our Ministry have the grit that will keep them united for the common good, and whether the body, as a whole, will satisfy the hopes and expectations of the people.

Is there any reason why the liquor bill should have been so framed as to disfavor Honolulu by permitting the sale of ardent spirits there and not elsewhere? It is as if a noxious vine were to be torn from the limbs only, of a tree, and left to cling about its trunk, or the ramifications of a cancer were heretofore excised, but the root and source of the evil were allowed to remain and be carefully nurtured.

If prohibition "would do away with a prolific source of revenue, and in all likelihood render increased taxation necessary," as claimed by some, would it not also do away with a prolific source of poverty, misery, crime, expense and ruin, both to individuals and to the public? And would we not be perfectly safe to take our chances of any increased taxation that is ever likely to become necessary as a result of prohibition?

It would seem that to ask these questions is sufficient to answer them—in the affirmative.

The bugle call to consider the subject of the awa traffic was well sounded through your columns, but as the Legislature did not really sound it in time to prevent the late sale of licenses, let us hope that the next regular session will take steps to prevent its recurrence. Liquor and opium are not the only evils that curse this land.

The sensational trash written by "Wide Awake" concerning the treatment of Portuguese in these islands startles one, first, to questioning if it is possible that such a state of things as he describes could exist and not become known, where the labor laws are so stringent, and where it is to the planter's own self interest, regardless of the law, to treat his labor at least passably well; and then to regard the infamous charge as emanating only from a malicious spirit in the heat of passion. "Wide Awake's" views are, to say the least, great exaggerations, and savor of a vision distorted by prejudice.

I submit whether some of these Portuguese do not deserve a bit of rough handling, to knock into their heads a becoming sense of honesty and regard for the private rights of others; and I submit also, whether it is not a fact patent to the most superficial observer, that this class of people show improvement in general appearance, after a few months' residence in this country.

The children certainly, with the school privileges they have here—and fortunately for them, their compulsory attendance thereon, imperfectly enforced as it is—are vastly better off than in their own country. They will at least be able to read and write.

They will not, in maturer years, present the sad and disgraceful spectacle witnessed previous to the late elections, of a horde of uneducated beings, many of them sporting full, manly beards, of whom not one in fifty could make a decent mark, much less write his own name. X. X.

Kohala, Dec. 20, 1887.

Says the San Francisco *Bulletin*: In questioning the value of a telegraph cable from San Francisco to Honolulu the New York *Sun* forgets that such a line would be merely the first link of a chain binding the South Pacific groups, the Australian Colonies and the Indies, China and Japan to the United States, affording cheaper and quicker communication than is possible by the Atlantic, European or Red Sea systems.

It is said that Senator Edmunds will oppose Mr. Lamar's appointment to the Supreme bench because of his age, which is stated at 68 years.

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BY AUTHORITY.



AN ACT

TO ABOLISH THE OFFICE OF GOVERNOR.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Office of Governor of any Island or Islands within this Kingdom is hereby abolished.

SECTION 2. All Laws and parts of Laws in conflict herewith are hereby repealed.

SECTION 3. This Act shall take effect from and after the thirty-first day of December, A. D., one thousand eight hundred and eighty-seven.

I hereby certify that the foregoing Act having passed its Third Reading in the Legislature of the Hawaiian Kingdom, on the first day of December, 1887, was presented to His Majesty the King, through the Cabinet on the fifth day of December, 1887, that on the ninth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with a message setting forth certain reasons why he refused to sign the same; that it appeared that such message was not countersigned by a Minister, and that His Majesty's act in so returning the same was done without the advice and consent of the Cabinet; that thereafter the Legislature adopted a resolution that said act of the King, not being countersigned by a Minister, and having been done without the advice and consent of the Cabinet could not be considered a refusal to approve the act within the meaning of Article 48 of the Constitution, which action of the Legislature was duly communicated to the King; and I do hereby further certify that more than ten days (Sunday excepted) have elapsed since said act was presented to the King and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28th, 1887.

WILLIAM R. CASTLE,

President of the Legislature.

Attest, J. ALFRED MAGOON,

Clerk of the Legislature.

AN ACT

TO PROVIDE FOR THE DISCHARGE OF CERTAIN DUTIES HERETOFORE PERFORMED BY GOVERNORS OF THE DIFFERENT ISLANDS.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Marshal of the Kingdom, for and within the Island of Oahu, and the Sheriffs of the different Islands other than Oahu, within their respective jurisdictions, shall hereafter discharge the duties hereinafter enumerated, which have heretofore been discharged and performed by the Governors of the different Islands; that is to say: with respect to

1. The administration of oaths and the taking of depositions.
2. The selection, construction and maintenance of pounds, the appointment and removal of pound-masters, and the apprehension and impounding of estrays.
3. The certification and recording of impressions and descriptions of brands and marks.
4. The control, preservation and disposition of wrecks and wreckage.
5. The shipping and discharge of seamen.
6. The testing and certification of weights and measures.

SECTION 2. In order to facilitate the due performance of their duties by the said Marshal and Sheriffs as provided in the preceding Section, all rights, privileges and fees heretofore accruing to, or possessed by, and all bonds running to the said Governors, or any of them, in respect of the matters pertaining to any of said duties, shall hereafter be possessed by and accrue and run to and in favor of the said Marshal and Sheriffs within their respective jurisdictions. All records heretofore kept by the several Governors shall, not later than the first day of January, 1888, be by them transferred to those persons who are by this Act appointed to perform the several duties heretofore performed by the several Governors.

SECTION 3. The Minister of Finance shall hereafter discharge and perform any and all duties heretofore by law devolving upon the Governors of the different Islands, with respect to the appointment and supervision of Tax Collectors and all other duties in connection therewith as imposed by Sections 54, 56, 62, 63, 64 and 65 of Chapter XLIII. of the Session Laws of 1882, and Sections 55 and 61 of said Chapter as amended by Chapter XXXVII. of the Session Laws of 1886, and all bonds, obligations, rights and privileges heretofore running or accruing to any Governor by virtue of any of the sections above

enumerated, shall hereafter run and accrue to the Minister of Finance. Provided, that the Sheriffs of the respective Islands other than Oahu, shall receive from the respective Tax Assessors, and deliver to the respective Tax Collectors, within their jurisdiction, their appropriate tax lists.

SECTION 4. The authority heretofore possessed by the different Governors to bind minors by articles of apprenticeship, as provided by Section 1397 of the Civil Code, is hereby transferred to the Judges of the Supreme Court, or of any Circuit Court, or other Court of Record sitting in probate, any one of whom may act in the premises.

SECTION 5. The duty heretofore imposed upon the respective Governors relating to the preparing of jury lists and the drawing of juries is hereby transferred to the Chief Clerk of the Supreme Court for the Island of Oahu, and the clerks of the respective Circuit Courts for the several judicial circuits.

SECTION 6. This Act shall take effect and become a law on the first day of January, in the year eighteen hundred and eighty-eight.

I hereby certify that the foregoing Act, having passed its Third Reading in the Legislature of the Hawaiian Kingdom, on the second day of December, 1887, was presented to His Majesty the King, through the Cabinet, on the Fifth day of December, 1887, that on the Ninth day of December, 1887, it was returned to the Legislature by His Majesty the King, unsigned, together with a message setting forth certain reasons why he refused to sign the same; that it appeared that such message was not countersigned by a Minister, and that His Majesty's act in so returning the same was done without the advice and consent of the Cabinet; that thereafter the Legislature adopted a resolution that said act of the King, not being countersigned by a Minister and having been done without the advice and consent of the Cabinet could not be considered a refusal to approve the Act within the meaning of Article 48 of the Constitution, which action of the Legislature was duly communicated to the King; and I do hereby further certify that more than ten days (Sundays excepted) have elapsed since said Act was presented to the King, and that (except as aforesaid) the same has not been returned to the Legislature, and that the Legislature had not adjourned prior to the expiration of said period of ten days.

Dated Honolulu, December 28th, 1887.

WILLIAM R. CASTLE,

President of the Legislature.

Attest, J. ALFRED MAGOON,

Clerk of the Legislature.

AN ACT

TO PROVIDE FOR AND DECLARE THE CONSTRUCTION TO BE PLACED UPON THE WORDS "THE KING" OR "THE SOVEREIGN" IN CERTAIN CASES.

WHEREAS, it is consistent with the spirit of the Constitutional Government of the Hawaiian Kingdom that the Sovereign shall act in matters of State, only by the advice and with consent of His Constitutional Advisers; Therefore

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. Wherever by virtue of any statute now in force in this Kingdom, or which shall hereafter be in force therein, any Act or thing is commanded or permitted to be done or performed by the King or the Sovereign, it shall, unless otherwise expressed, mean that such act or thing shall be done and performed by the Sovereign by and with the advice and consent of the Cabinet.

SECTION 2. This Act shall take effect from and after the date of its approval.

Approved this 8th day of December, A. D. 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.

AN ACT

TO INDEMNIFY THE MINISTER OF FINANCE WITH CERTAIN EXPENDITURES.

Be it enacted by the King and the Legislature of the Hawaiian Kingdom:

SECTION 1. The Minister of Finance is hereby indemnified and discharged from all liability, on account of the payment of the following items, that is to say:

Running Expenses of Steam Tugs.....	\$ 5,269 48
Expenses of Election.....	3,362 64
Payment for land taken for Honolulu Water Works at Makiki.....	12,200 00
	\$20,832 12

and said expenditures are hereby approved.

SECTION 2. This Act shall take effect from and after its passage.

Approved this 8th day of December, 1887.

KALAKAUA REX.

BY THE KING:

L. A. THURSTON,

Minister of the Interior.